

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number**

0506-0042

**Case Title:**

Fishbeck Thompson Carr & Huber Inc (FTCH)

**Reporting Office:**

Detroit, MI, Resident Office

**Subject of Report:**

Interview of Reza Bagherian, Region V, Air & Radiation Division

**Activity Date:**

October 7, 2010

**Reporting Official and Date:**

(b)(5)(b)(6)(b)(7)(C)

29-OCT-2010, Signed by (b)(5)(b)(6)(b)(7)(C)

**Approving Official and Date:**

(b)(5)(b)(6)(b)(7)(C)

03-NOV-2010, Approved by (b)(5)(b)(6)(b)(7)(C)

**SYNOPSIS**

10/07/2010 - U.S. EPA CID Special Agent (SA) (b)(5)(b)(6)(b)(7)(C) interviewed Reza Bagherian, Environmental Engineer, EPA Region V. Bagherian is the Air & Radiation Division inspector assigned to the EES Coke facility located in Detroit, Michigan.

**DETAILS**

On October 7, 2010, U.S. EPA CID Special Agent (SA) (b)(5)(b)(6)(b)(7)(C) interviewed Reza Bagherian, Environmental Engineer, EPA Region V. Bagherian is the Air & Radiation Division inspector assigned to the EES Coke facility located in Detroit, Michigan. Bagherian can be reached at (b)(5)(b)(6)(b)(7)(C). Bagherian provided the following information:

Bagherian's first dealing with the EES Coke facility was in October of 2006 when he and EPA inspectors Dan Schaufelberger and Constantinos Loukeris inspected the facility over three days. Schaufelberger wrote a comprehensive inspection report for this activity and thus Bagherian does not have an independent report documenting his activities.

Bagherian explained that the EES Coke facility is subject to 40 CFR Part 60 Subpart L which requires the daily monitoring of visible emissions from the coke batteries. EES Coke contracted with Fishbeck Thompson Carr and Huber (FTCH) to perform these visible emissions readings which are submitted to the EPA Region V office in Chicago on a monthly basis. The reports contain information such as the 30 day average of emission readings, the charging rates of the batteries and the daily readings. Bagherian described how the person making the daily readings does so from the top of the coke battery and looks at the charging ports, covers, doors, and lids of the battery for any visible emissions. The readings are not a quantitative measure, meaning the reader does not try to measure the amount of opacity or emission from these locations but simply is required to indicate whether or not there are visible emissions. The EES Coke facility has on average five charges a day, and it is during these charges that the emissions may occur. Subpart L requires these readings which must be done following the Method 303 regulations and well as Method 9, which does require a quantification of the opacity in the emissions. The Method 9 readings are to be performed on the "pushing" emissions and must be certified on a semi annual basis.

Bagherian characterized the FTCH produced reports to be not as good as other facilities in that they lack a lot of detail. This can require. Bagherian thought that this was the choice of the consultant of what to include or not include in the report, beyond what is required by the Method. Items such FTCH submitting just the average readings verses the readings per charge cause Bagherian to have to contact the facility to get the underlying data.

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(b) (6), (b) (7)(C) of EES Coke and Bernie Sia of the Michigan Department of Environmental Quality (MDEQ) accompanied Bagherian during his inspection of the EES Coke facility in October of 2006. Bagherian also recalled meeting (b) (6), (b) (7)(C) of FTCH during the Leak Detection and Repair portion of the inspection. This was the only time Bagherian has inspected this facility.

The facility underwent a Prevention of Significant Deterioration review in the 1990's and as a result had more stringent requirements for their particulate matter and visible emissions.

Bagherian confirmed that any violation of Subpart L would constitute a violation of the facilities Clean Air Act Renewable Operating Permit and would need to be reported in the semi annual and annual compliance certifications which are submitted to the MDEQ.

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